

COMMENTS OF SPEIGHTS TELECOM, INC. IN THE MATTER OF
SPECTRUM NEEDS OF EMERGENCY RESPONSE PROVIDERS
WT Docket No. 05-157

Filed by: Speights Telecom, Inc.

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1. Speights Telecom, Inc. respectfully offers the following comments in response to the Public Notice regarding SPECTRUM NEEDS OF EMERGENCY RESPONSE PROVIDERS as input to the FCC Report Mandated by the Intelligence Reform and Terrorism Prevention Act of 2004. Speights Telecom, Inc (STi) is a Veteran-owned small business providing general management consulting services specializing in Spectrum Management, Telecom Regulation, Public Safety Telecom Technology, and Public Safety Spectrum Issues. The principals represent many years of experience and expertise in Public Safety and Homeland Security spectrum and technology.

I. BACKGROUND

2. STi believes there should be nothing more important to this Government than the protection of Life and Property. It is the very basis of our existence as a Nation. As banal as this may seem, this basic model of governance (provision of tranquility, defense, welfare, liberty) is nonetheless guaranteed by our Constitution. In fact, there *can be* nothing more important than a promise by our Government to continually improve these basic assurances. With that premise in mind, it should be recognized by the Commission,

the Congress, and the Administration that all other uses of public resources, such as radio frequency spectrum, must be secondary in importance to public safety.

3. In March of 1995, the House Appropriations Subcommittee (Commerce, Justice, State) directed the FCC and NTIA to establish a joint advisory committee on public safety spectrum issues. As a direct result, the FCC and NTIA established the Public Safety Wireless Advisory Committee (PSWAC) on June 25, 1995¹ to “provide advice on the specific wireless communications requirements of Public Safety agencies through the year 2010 and make recommendations for meeting those needs.” The PSWAC was chartered in accordance with the Federal Advisory Committee Act and quickly gathered a steering committee consisting of nationally recognized leaders in the public safety, academic, and manufacturing communities. The general membership, consisting of over 500 public safety practitioners, technical experts, industry representatives, and representatives from all levels of government, met multiple times for a year to discuss issues of importance to the whole of public safety. The resultant PSWAC Final Report² was certainly the first-ever integrated research and discussion of issues common to public safety agencies at all levels of government. The PSWAC formed the basis for a number of government programs, partnerships, and interoperability efforts for years following its short life. Arguably, its effects can still be felt in a number of current-day organizations, programs, and efforts at the federal, State, and local level.

¹ Federal Communications Commission and the National Telecommunications and Information Administration, Public Notice, *Public Safety Wireless Advisory Committee*, August 11, 1995.

² Public Safety Wireless Advisory Committee, *Final Report of the Public Safety Wireless Advisory Committee*, September 11, 1996.

4. The primary recommendations of the PSWAC remain valid today, almost 10 years after completing its work. It can be argued that these primary recommendations - the need for more public safety spectrum (97.5 MHz), the need for increased interoperability and sharing of resources, the need to gracefully transition to advanced technology, the need to enhance our 911 systems, and the need to improve commercial system support to public safety have been addressed to some degree in the years since PSWAC met. The Commission must be applauded for allocating much of the spectrum requirements that the PSWAC outlined. STi submits that many of these needs have indeed been addressed, but not necessarily fully met.

II. COMMENTS

A. The current 700 MHz public safety allocation does not adequately address National Interoperability.

5. These comments are primarily aimed at addressing the question of an additional 700 MHz allocation for public safety. The Public Notice seeks comment on whether Congress should provide additional spectrum at 700 MHz for public safety. Past actions by Congress and the Commission to provide additional operational spectrum for public safety agencies in the bands previously allocated to UHF TV channels 60-69 resulted in a newly allocated 24 MHz of spectrum³ for State and local public safety use. Although the

³ The new public safety allocations in the 700 MHz band included former UHF TV Channels 63,64,68,69 specifically 764-776/794-806 MHz.

resulting service rules provided for the use of this spectrum by federal agencies in certain circumstances and while operating on State or local systems, its design was primarily to relieve congestion in the adjacent 800 MHz public safety bands and not to provide interoperability among federal, State, and local public safety agencies. Without a co-equal allocation, federal agencies cannot be expected to commit significant resources to developing nationwide partnerships on systems they do not have license to or could not be guaranteed consistent or interoperable technology from jurisdiction to jurisdiction.

B. A rare window of opportunity will give the public safety community a much needed chance at enhancing nationwide interoperability.

6. STi submits that the unauctioned portion of the upper 700 MHz band is more valuable to the Nation as a federal/State/local public safety interoperability band than as a commercial radio service band or for any other use. In the interest of ensuring and enhancing interoperability among all providers of public safety services, the Congress, the Commission, and NTIA must realize the benefit to homeland security by reallocating these bands and creating a new ***National Interoperability Band*** (National IO Band).

Such an opportunity to enhance our ability to better serve first responders will provide:

- Added capacity for federal, State, local and Critical Infrastructure (CI) integrated voice and high speed data/video;
- Increased Interoperability among federal, State, local and CI users;
- Improved Safety for first responders and the public that interoperability and additional capacity brings;

- Compatible equipment designed for Mission Critical use across the larger combined federal, State, local and CI base of users.

C. The new National IO band *must* be allocated for federal, state, and local public safety and critical infrastructure use.

7. In order to effectively address true interoperability among our Nation's public safety and critical infrastructure providers, the new National IO band must be co-equally allocated to federal, state/local public safety, and appropriate critical infrastructure providers. Without a co-equal allocation, true shared and joint-use interoperability will not be accomplished. A co-equal allocation, with service rules agreed to by both the Commission (representing State and local public safety and non-federal critical infrastructure users) and NTIA (representing federal agencies), would ensure equitable, coordinated use of this spectrum to benefit all users.

III. SUMMARY

8. In summary, STi submits that the Commission has a responsibility to the public safety community to provide for validated spectrum needs necessary to satisfy the basic requirements for voice and data services, additional needs to accommodate growth, and the future needs that high speed data and advanced technology will bring. All of these requirements must be met with sufficient spectrum and minimal regulatory barriers to their effective use. The Commission must also recognize their duty to provide responsive

support to the public safety community and realize this duty cannot be compromised or be placed secondary to the needs of other spectrum users.

Respectfully submitted,

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